

Testimony Before the House Judiciary Committee May 6, 2009

Thank you very much for having me here to testify today. My name is Tom Duvall and I am speaking here today in support of House Bills 4518, 4594, 4595, and 4596. I am here today to bring a perspective which I feel is lacking in this discussion, that of young people. I am a junior at the University of Michigan and I am twenty years old.

Three years ago, I was a juvenile. I could barely drive past midnight, and was not able to vote. Yet, according to current Michigan law, I was considered responsible enough to make decisions that would cost me my freedom for the rest of my life. Voting is the most basic part of citizenship responsibilities. An age limit of 21 was originally imposed, which was changed to 18 in 1971. This came after a push that became the 26th Amendment after people realized the injustice of those who were able to fight and die in Vietnam, but who weren't able to vote. Legislators recognized that those who had made that sacrifice and who were entrusted with the defense of our country deserved the right to be given its most basic right. This is not that situation and is in fact the exact opposite. We are talking about people who are not entrusted to vote, who we have decided are not responsible enough to be good citizens, who can then be given life sentences. Kids who we don't trust to fight for our country or even have their first drink are deemed responsible enough to make decisions that they deserve to be punished for the rest of their lives for. It's just not fair to punish a teen like an adult without giving them any of the privileges of an adult.

At the same time, it's also an issue of maturity. Turning 18 is a big moment in a kid's life and when we recognize that we are finally becoming adults. During the time before then, we may be close to being responsible and are given the first bits of legal responsibility in being able to drive. Yet, the teenage years are a strong time of growth and personal maturity. The driver's license process is an example of this. At 14 and 9 months, a teenager can get a permit where they are only allowed to drive with an adult in the car. At 16, they can drive on their own, but not between midnight and 5 PM. Finally, at age 17, a teen is considered responsible enough to be able to drive on their own without restrictions. The reason for these laws is simple. Teenagers mature over the course of time and would not make the same decisions at age fourteen or fifteen that they

would at sixteen or seventeen. This maturation process is a part of growing up. It includes gaining the necessary life experience to be able to make good decisions and forming an ethical code. In an ideal world, this would be taught by attentive parents and role models in the community. In the real world, this process doesn't happen. I was fortunate enough to have a good upbringing, but many my age did not and made awful decisions with their lives. I am highly confident speaking to all of you here today that you would not make the same decisions now that you would at that age. Your mistakes and my mistakes that we have all made are of a vastly different scale than the kids that we are talking about today, but they were mistakes nonetheless. Locking a juvenile up for life removes any possibility for that learning process. It says that a kid who makes a bad decision is utterly incapable of ever learning from that decision. That's something that just isn't supported by the facts.

As a college student here at the University of Michigan, this last point is something that is highly personal to me. It costs thirty to thirty five thousand dollars a year to incarcerate a juvenile for every year of their life. Every day, I see kids who can't afford college and who are thinking about dropping out because they can't afford college. The cost of putting a kid in jail with no hope of getting out is almost as much as sending two kids to the University of Michigan. One option helps out the state of Michigan and gives a kid a chance to make something for themselves and help out the state. The other option leaves a kid sitting in jail for the rest of their lives.

In the end, I hope that you consider the perspective of the young in considering an issue that can help out some kids. We are simply not as responsible as adults yet and we are not given the same privileges as adults yet. As a result, we shouldn't be treated like adults when it comes to being punished. Thank you very much for your time and I urge you to vote to overturn life sentences without parole for juvenile offenders.